SINGLE BENCH

(3)

C.R-1001

P.R. No. 4733/05
Presented by Shri V.R. Tiwari
dated 13/9/05

IN THE HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

WRIT PETITION NO. 4464 of 2005

PETITIONER : Anant Kumar Singh, S/o Akhileshwar Singh, Aged about 43 years, Working as Sub Inspector, Excise Department, Durg, R/o MIG 400 Padmanabhpur, Durg, (Chhattisgarh).

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Versus

RESPONDENTS

1. State of Chhattisgarh through its Secretary, Department of Excise, Mantralaya, D.K.S. Bhawan, Raipur (CG)
2. Excise Commissioner, Department of Excise, Raipur (CG)
3. District Excise Officer, Durg (CG)

WRIT PETITION UNDER ARTICLE 226 & 227 OF THE CONSTITUTION OF INDIA

(50)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P. No. 4464/05

मामला क्रमांक ..... **सन् 200** .

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

19.9.2005

Petitioner by Shri Vivek Ranjan Tiwari, Advocate.

Respondents by Shri Vivek Sharma, Panel lawyer.

Heard.

The petitioner is working as Sub-Inspector in the Excise department at Durg. He has been transferred by the order dated 6.9.2005 (Annexure P/1) to the office of the Assistant Commissioner Excise, Raigarh. By order dated 6.9.2005 eight persons, including the petitioner, have been transferred from one place to other place.

Learned counsel for the petitioner submits that the wife of the petitioner Smt. Anju is suffering from brain tumor with Central Patchy Enhancement and she required regular radio therapy after 15 days. She needs regular medical assistance of the neurologist also. According to the petitioner these facilities are not available at Raigarh. The family of the petitioner would suffer irreparably if the case of the petitioner is not considered on sympathetic ground for his staying at Durg in this academic session.

Since the petitioner is not alleging any malafide or violation of any Rules or Regulations on transfer, it seems that the transfer has been made due to the administrative exigency. However, in view of the family problems as stated above, it is desirable that the authorities should consider his case sympathetically for not transferring him for this

(51)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P. No. 4464/05

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

academic session to which learned counsel for the respondents has no objection. The petitioner has already filed a representation dated 9.9.2005 (Annexure P/5) to the Respondent No.2 in this regard.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the respondents are directed to consider and decide the case of the petitioner sympathetically within a period of eight weeks from the date of receipt of the order.

In the meantime the transfer order dated 6.9.2005 in regard to the petitioner be not given effect to till the disposal of the said representation.

In view of the foregoing, the petition stands disposed of finally.

Certified copy as per Rules.

Sd/-
Satish K. Agnihotri
Judge

SP/FS/2005 - 20,000